

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

ARIENNE JONES, DERIC JONES,
HERSCHEL WILLIAMS, and
TANSHENETTA ROBISKIE,

PLAINTIFF-INTERVENORS

v.

CIVIL ACTION NO.: 3:20-cv-00729-CWR-LGI

SSM PROPERTIES, LLC, STEPHEN MAULDING, SR.,
JAMES ROE, and SHEILA MAULDING,

DEFENDANTS

**MOTION FOR ORDER REQUIRING EXAMINATION
OF JUDGMENT DEBTOR IN A CIVIL CASE**

Plaintiff United States of America, by and through the United States Attorney for the Southern District of Mississippi and the undersigned Assistant U. S. Attorney, respectfully moves the Court, pursuant to 28 U.S.C. § 3015, Fed R. Civ. P. 69, and Mississippi Code § 13-1-261, for an order requiring Defendant James Roe to appear and testify at a judgment debtor examination in aid of execution, and in support of this motion relies upon the declaration attached as Exhibit A. Assets of both the judgment debtor and the non-debtor spouse may be secured to pay a criminal debt. *See United States v. Berry*, 951 F.3d 632, 638 (5th Cir. 2020); *see also United States v. Tilford*, 810 F.3d 370 (5th Cir. 2016); *United States v. Elashi*, 789 F.3d 547 (5th Cir. 2015); *United States v. Loftis*, 607 F.3d 173 (5th Cir. 2010).

In addition, the United States requests the Court order Defendant to bring the following documents to the judgment debtor examination:

1. Copies of personal and/or joint (as applicable) income tax returns for the past three (3) years capturing all income of the judgment debtor and the non-debtor spouse.

2. Copies of all personal and business bank statements for the last six months, including savings accounts or money market statements, where the judgment debtor or the non-debtor spouse is a signatory to the account.
3. Copies of any brokerage account statements for the last six months, including but not limited to all profit-sharing and pension plans, IRA plans, 401(k) plans, 403(b) plans, and 457(b) plans in which the judgment debtor or the non-debtor spouse has an interest.
4. Copies of at least two (2) utility bills, (e.g. electric, gas, water) paid in the last month in the name of Defendant or the non-defendant spouse, showing the residence address of the Defendant.
5. Copy of title or deed to personal residence if owned by Defendant or any member of Defendant's family or copies of rental receipts for the last six months if Defendant or a family member is leasing Defendant's residence.
6. Copy of title, registration, or license of any vehicle owned or leased by Defendant or Defendant's spouse, or by a business to which either holds an interest.
7. Copies of titles, deeds, registration, payment plans, contracts, or agreements to any other real or personal property owned or leased by Defendant or Defendant's spouse.
8. A listing of all other personal property, tangible and intangible, owned by the judgment debtor or the non-debtor spouse valued at \$2,500 or greater, and an approximate value of such property, regardless of whether such personal property is titled or registered in any form.
9. Copies of pay statements or other documents related to the source and amounts of income, including salary, bonuses, self-employment income, winnings, retirement income, benefits, or other earnings, received by the judgment debtor or the non-debtor spouse in the last year prior to the examination.

DATED: January 18, 2024

Respectfully submitted,

TODD W. GEE
United States Attorney

BY: CLAY B. BALDWIN (MSB 103478)
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Jackson, MS 39201
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CERTIFICATE OF SERVICE

I, Clay B. Baldwin, Assistant U. S. Attorney, hereby certify that, on this date, I caused a true and correct copy of the foregoing document to be mailed, postage prepaid, to Defendant at the following address:

JAMES ROE
REDACTED
Jackson, MS 39211

DATED: January 18, 2024

CLAY B. BALDWIN
Assistant United States Attorney